



The Photographic Alliance of Great Britain Advice for Clubs, Federations and the PAGB

Data Protection – Writing a Policy

This document is an advisory document only and does not set out a policy for anyone to follow. It is intended only as guidelines for Clubs to construct their own policy. Whilst the document has been researched and we believe it to be accurate, the PAGB can accept no responsibility for any errors or incorrect statements and cannot be held liable for any consequent actions which may arise.

Scope

This document is primarily written as advice to affiliated Clubs, but also applies to member Federations and to the Photographic Alliance of Great Britain. Each of these is an independent data controller.

This advice is about writing a data protection policy (alternatively called a privacy notice). It is supplementary to the PAGB Guidance on Data Protection.

Working Towards Compliance

As explained in the separate Guidance, there is little or no change in the basic requirements for data protection over and above those in place for many years. If problems have not been identified, then data protection practices may be satisfactory already. The emphasis is on 'may' because compliance now has to be demonstrated and not just assumed.

Compliance can be taken in three steps:

- Know what you do
- Say what you do
- Do what you say

This advice is about the middle step: how to say what you do. Each Club must cover the other steps itself.

When preparing an individual data protection policy, Clubs can revise and adapt the PAGB policy, although creating a data protection policy is only part of compliance.

Having a data protection policy allows others and yourself to assess what you do and judge whether that is reasonable. Having a data protection policy also covers one of the rights of data subjects: the right to be informed.

Advice from Elsewhere

There is plenty of advice elsewhere, almost too much, about data protection and about what to include in a data protection policy. <https://ico.org.uk/for-organisations/> is an authoritative source by the Information Commissioner's Office (ICO).

Such other sources can be used directly, or can be used to compare with this advice. Other sources may be generic for a wide range of organisations.. This advice has taken account of typical activity by Clubs.

Individuals will receive privacy notices from other membership and commercial organisations. Many of these notices are long and complex, and some of them have to be. The effectiveness of a policy is not determined by its length.

Writing Your Policy

There is no set order for the content, but it should read easily. Use separate sections for different concepts.

Describing Your Activities

A way to make your policy understandable, and maybe easier to write, is to itemise your activities and how you handle the associated personal data. The PAGB Policy is an example where several activities are shown in this way.

Any description should be adequate and accurate. It's part of saying what you do. Test what is written against actual practice.

What to Include

Your organisation must be identified by name. You could include your logo and website address.

Your general aims, purpose and activity must be identified. This could be:

- A stand-alone statement, or
- An extract from your constitution.

There must be a contact point. This could be:

- The title of an officer eg, Secretary, or
- A named person and their contact details, or
- Via a contact form on a web site.

You must state the lawful purpose of your processing. The PAGB Guidance suggests using 'legitimate interests' as the most generic. If some of your activities use explicit consent, then consider limiting the 'consent' purpose to those activities.

You must state the personal data which you will collect. Consider whether the list in the PAGB policy is an adequate match to the data you collect.

If you will pass personal data to another controller, and this will apply for inter-club competition entries, you must say so.

You must give adequate information about data retention, remembering that business records and archives can only be kept if you say so.

You must refer to any applicable rights of the data subject. The right to be informed is automatically covered by publishing your policy. Rights which should always be included are:

- The right of access
- The right of rectification

ICO guidance is that rights which are inapplicable in your particular circumstances need not be mentioned. PAGB guidance is that most other rights are likely to be inapplicable, but the right to withdraw consent must be mentioned if the 'consent' purpose applies to any of your activities.